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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/105,528	06/26/1998	NICHOLAS JOLYAN STANIFORT KNOWLES	CR9-98-062	5684

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IBM CORPORATION  
3039 CORNWALLIS RD.  
DEPT. T81 / B503, PO BOX 12195  
REASEARCH TRIANGLE PARK, NC 27709

EXAMINER

LE, UYEN T

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/105,528

Applicant(s)

KNOWLES, NICHOLAS JOLYAN  
STANIFORT

Examiner

Uyen T. Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-8,10-15 and 17-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,7,8,14 and 15 is/are rejected.  
7) ☐ Claim(s) 3-6,10-13,17-20 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's arguments regarding claims 1, 8, 15 have been fully considered but they are not persuasive.

Applicant argues that the nodes and links of the Shimamura hyper media space 10 do not teach suggest or disclose the object model of the present invention which is provided relative to a software application. In response, claims 1, 8, 15 do not require to provide an object model relative to any software application.

Applicant argues that there is not discussion that the nodes represent an object model. In response, at page 3 of the amendment filed 9 September 2004, applicant admitted that "many things are modeled using nodes an links" and "in Shimamura, a network of some type is being modeled". Thus, the examiner maintains that the model of the network shown in Figures 1, 4, 6, 8, 9, 12-20 is an object model.

Applicant presents no further arguments. For all the reasons stated above, rejection of claims 1, 7, 8, 14, 15 is maintained using the reference of record and hereby repeated.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 7, 8, 14, 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimamura (US 5,926,180).

Regarding claim 1, Shimamura discloses all the claimed subject matter (see the abstract, Figures 1-18). The claimed "object model" is met by the map of nodes shown in Figures 1, 4, 6, 8, 9, 12-20. The claimed "computer readable code" is met by the fact that the method of Shimamura is computerized. The claimed "subprocess for displaying a browser" is met when Shimamura shows the browsing unit (see column 2, lines 12, 13). The claimed "subprocess for retrieving...object model" reads on the fact that the method of Shimamura retrieves and displays nodes as shown in Figures 1, 4, 6, 8, 9, 12-20. The claimed "subprocess for enabling a user of said code to select one of said element" is met when Shimamura shows that the user selects a node (see column 4, lines 14-24). The claimed "subprocess for retrieving...said model" is met when Shimamura shows that the related information extracting means extracts the link information representing the relationship between the node and other nodes (see column 4, lines 37-42). The claimed "subprocess for enabling said user to select one or more relationships from said displayed relationship information" reads on the fact that the method of Shimamura allows user to navigate the map of related nodes displayed.

Regarding claim 7, Shimamura discloses the browser is a conventional browser (see column 2, lines 11-36).

Claims 8, 14 correspond respectively to a system for claims 1, 7, thus are rejected for the same reasons stated in claims 1, 7 above.

Claim 15 corresponds to a method for claim 1, thus is rejected for the same reasons stated in claim 1 above.

***Allowable Subject Matter***

Claims 3-6, 10-13, 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose or make obvious presenting an action list to said user in response to the user selection of a relationship displayed as recited in claims 3, 9, 17.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 571-272-4021. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7 January 2005



**UYEN LE**  
**PRIMARY EXAMINER**